



00862.003050

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT APPLICATION

DEP & REF  
Room 307

#21/Ry for  
Refund

06-09-04

In re. Application of:

TSUKASA SAKO ET AL.

Application No.: 09/408,447

Filed: September 29, 1999

For: IMAGE PROCESSING  
APPARATUS HAVING  
VARIABLE OUTPUT, METHOD,  
PHOTOGRAPHING SYSTEM,  
CONTROLLING METHOD FOR  
THE SYSTEM, AND  
COMPUTER-READABLE  
MEMORY HAVING THE SAME

Examiner: C. Kim

Group Art Unit: 2623

April 23, 2004

COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, VA 22313-1450

REQUEST FOR REFUND

Sir:

In connection with the above-identified application, Applicants request a refund of \$110.00 for a one month extension fee, which was erroneously charged to our Deposit Account 06-1205. It is requested that the refund be applied as a credit to that Deposit Account. The reason for the refund is explained below.

On January 8, 2004, Applicants submitted a Request For Continued Examination (RCE) Transmittal (see attached copies of the Transmittal and a postcard acknowledging receipt of the Transmittal and check), using the certificate of mailing procedures set forth at 37 C.F.R. § 1.8, by mailing the RCE in an envelope addressed to the

Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 and deposited with the U.S. Postal Services with sufficient first class postage. The RCE was therefore timely filed on January 8, 2004, in response to the Office Action dated October 8, 2003, and no extension fees were due at that time.

Applicants' attorneys received a Monthly Statement of Deposit Account, dated January, 2004, (copy attached) indicating that Deposit Account No. 06-1205 was charged \$110.00. It is respectfully submitted that this charge is not warranted.

Accordingly, Applicants hereby request a refund and authorizes the Commissioner to credit Deposit Account No. 06-1205 in the amount of \$110.00, to resolve this matter.

Applicants' undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,

  
Attorney for Applicants

Registration No. 32622

FITZPATRICK, CELLA, HARPER & SCINTO  
30 Rockefeller Plaza  
New York, New York 10112-3801  
Facsimile: (212) 218-2200

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DEC 18 28 AM 11:00

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313

Date 1 8 04  
Mo. Day Yr.

Atty. Docket 00802-003050

Appln. No. 09/408,447

Sir: Kindly acknowledge receipt of the accompanying:

- ☐ Specifications, claims and abstract \_\_\_\_\_ pages, with Transmittal Form  
☐ Patent Application Bibliographic Data Sheet \_\_\_\_\_ sheets  
☐ Executed Oath or Declaration and Power of Attorney  
☐ \_\_\_\_\_ Sheets of \_\_\_\_\_ formal \_\_\_\_\_ informal drawings  
☐ Check for \$ \_\_\_\_\_ (filing fee) 770.00  
☒ Request for Continued Examination and Check for \$ \_\_\_\_\_  
☐ Assignment, PTO-1595 and Check for \$ \_\_\_\_\_  
☐ Transmittal Under 37 CFR 1.53(d) (CPA)  
☐ Petition under 37 CFR 1.136 and check for \$ \_\_\_\_\_  
☐ Other (specify) \_\_\_\_\_

by placing your receiving date stamp hereon and mailing or returning to deliver.

This is a ☐ Continuation ☐ Divisional ☐ Continuation-In-Part

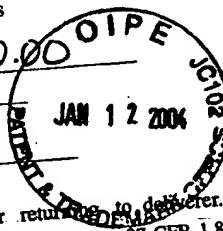
Atty. MKOIN

Due Date

1 8 04  
Mo. Day Yr.

37 CFR 1.8 ☒  
37 CFR 1.10 ☐  
By Hand ☐

FCIS-A-00



2/1/04



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STATUS AND ENTRY  
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**Deposit Account Statement**

Requested Statement Month: January 2004  
Deposit Account Number: 061205  
Name: FITZPATRICK CELLA HARPER & SCINTO  
Attention:  
Address: 30 ROCKEFELLER PLAZA  
City: NEW YORK  
State: NY  
Zip: 10112-3801

DATE	SEQ	POSTING REF TXT	ATTORNEY DOCKET NBR	FEE CODE	AMT	BAL
01/02	2	09986914	1263.1607	1806	\$180.00	\$49,909.00
01/05	35	10745605	03500.017837	1202	\$6.00	\$49,903.00
01/05	40	29192006	02105002490 - APFORCE	8007	\$1,200.00	\$48,703.00
01/05	43	29189679	02105002480 - APFORCE	8007	\$1,200.00	\$47,503.00
01/06	1	09532076	35.C14367	1253	\$930.00	\$46,573.00
01/06	1	60509046	00005.001217.2	1005	\$160.00	\$46,413.00
01/06	2	60509046	" "	1052	\$50.00	\$46,363.00
01/07	10	10642232	03500.014437.1	1051	\$130.00	\$46,233.00
01/07	28	76076965	1915T106A	6004	\$150.00	\$46,083.00
01/07	168	10748208	03500.013552.1	9204	-\$86.00	\$46,169.00
01/07	650	78348618	1790.820	7001	\$335.00	\$45,834.00
01/07	688	78348641	1790.830	7001	\$335.00	\$45,499.00
01/07	695	78348645	1790.840	7001	\$335.00	\$45,164.00
01/07	707	78348652	1790.850	7001	\$335.00	\$44,829.00
01/08	1	10472148	00005.001223.	1615	\$126.00	\$44,703.00
01/08	5	10363145	00766.000070	9204	-\$168.00	\$44,871.00
01/08	40	09863424	1263.1605	1806	\$180.00	\$44,691.00
01/08	41	09863424	1263.1605	1201	\$344.00	\$44,347.00
01/08	42	09863424	1263.1605	1202	\$126.00	\$44,221.00
01/08	43	09863424	1263.1605	1252	\$420.00	\$43,801.00
01/08	56	09984437	35.C15901	1203	\$290.00	\$43,511.00
01/08	95	6623759	02244001900	8010	\$25.00	\$43,486.00
01/08	96	6623759	02244001900	8008	\$200.00	\$43,286.00
01/08	101	09523684	1807.1092	1252	\$420.00	\$42,866.00
01/08	145	09385430	862.2988	1806	\$180.00	\$42,686.00
01/08	197	09392742	862.3022	1501	\$1,330.00	\$41,356.00
01/08	198	09392742	862.3022	8001	\$15.00	\$41,341.00
01/08	199	09385430	862.2988	1501	\$1,330.00	\$40,011.00

## Deposit Account Statement

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DATE	TIME	CALLER	NUMBER	STATUS	CHARGE	AMOUNT	BALANCE
01/08	200	09385430	862.2988		8001	\$15.00	\$39,996.00
01/08	377	10157847	03500.016460		1504	\$300.00	\$39,696.00
01/08	378	10157847	03500.016460		1501	\$1,330.00	\$38,366.00
01/08	379	10157847	03500.016460		8001	\$15.00	\$38,351.00
01/08	380	09009251	35G2110		1501	\$1,330.00	\$37,021.00
01/08	381	09009251	35G2110		8001	\$15.00	\$37,006.00
01/09	35	09264721	35.C13379		1501	\$1,330.00	\$35,676.00
01/09	36	09264721	35.C13379		1504	\$300.00	\$35,376.00
01/09	37	09264721	35.C13379		8001	\$15.00	\$35,361.00
01/09	43	08767018	35.G1845		1504	-\$300.00	\$35,661.00
01/09	57	29192839	21052500JPFORCE		8007	\$580.00	\$35,081.00
01/09	58	29194914	21052444JPFORCE		8007	\$620.00	\$34,461.00
01/09	66	10751716	03530.000004		9204	-\$162.00	\$34,623.00
01/09	88	10173608	03500.016488		1201	\$6.00	\$34,617.00
01/09	110	09497079	NOT IN DATA SYSTEM		8008	\$200.00	\$34,417.00
01/09	111	09497079			8009	\$440.00	\$33,977.00
01/09	112	09497079			8024	\$120.00	\$33,857.00
01/09	113	09922815	NOT IN DATA SYSTEM		8008	\$200.00	\$33,657.00
01/09	114	09199569	" "		8008	\$200.00	\$33,457.00
01/09	194	10265264	03500.012649		1201	\$4.00	\$33,453.00
01/09	240	10482839	01702.402900		1616	\$40.00	\$33,413.00
01/12	1	10247997	01573.001100		2253	\$475.00	\$32,938.00
01/12	1	Z1230251	02783.0000T2.WP		6901	\$100.00	\$32,838.00
01/12	133	0133970485	02521000212		8014	\$50.00	\$32,788.00
01/12	139	0140670390	02521000213		8014	\$50.00	\$32,738.00
01/12	193	09506289	35.C14384		8001	\$15.00	\$32,723.00
01/12	227	09554794	839.425		1202	\$2,430.00	\$30,293.00
01/13	20	10412681	0210.002365		1202	\$40.00	\$30,253.00
01/13	26	09838809	02105001093		8013	\$25.00	\$30,228.00
01/13	27	09838809	02105001093		8013	\$25.00	\$30,203.00
01/13	28	09838809	02105001093		8013	\$25.00	\$30,178.00
01/13	29	09838809	02105001093		8013	\$25.00	\$30,153.00
01/13	34	09974634	00050097000		8013	\$25.00	\$30,128.00
01/13	89	0140670390	02521000212C0		8014	\$25.00	\$30,103.00
01/13	90	0133970485	02521000212C0		8014	\$25.00	\$30,078.00
01/13	94	29194914	02105.002444		8023	\$120.00	\$29,958.00
01/13	97	0000012236	NOT IN DATA SYSTEM		8014	\$25.00	\$29,933.00
01/13	98	29192006	02105002490 - APFORCE		8023	\$120.00	\$29,813.00
01/13	100	29192839	02105.002500 JPFORCE		8023	\$120.00	\$29,693.00
01/13	166	09973185	00364006100		8013	\$25.00	\$29,668.00
01/14	1	10270142	00684.003425		1203	\$290.00	\$29,378.00
01							

Deposit Account Statement

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01/15 2	10091465	03500.016263	1203	\$280.00	\$28,468.00
01/15 3	PCT/US03/36090	NI-3890	1703	\$12.00	\$28,456.00
01/15 105	09838809	02105001093	8013	\$25.00	\$28,431.00
01/15 106	09838809	02105001093	8013	\$25.00	\$28,406.00
01/15 107	09838809	02105001093	8013	\$25.00	\$28,381.00
01/15 108	09838809	02105001093	8013	\$25.00	\$28,356.00
01/15 109	09838809	02105001093	8013	\$25.00	\$28,331.00
01/15 165	09838809	02105001093	8013	\$25.00	\$28,306.00
01/16 174	0133500188	02521000213MX	8014	\$50.00	\$28,256.00
01/20 3	P108453	NOT IN DATA SYSTEM	1460	\$130.00	\$28,126.00
01/20 29	29187789	02105.002475	8021	\$40.00	\$28,086.00
01/20 30	29187679	02105.002480	8021	\$40.00	\$28,046.00
01/20 31	0133500188	02521000212	8014	\$200.00	\$27,846.00
01/20 52	10683102	03500.014609.1	9204	-\$610.00	\$28,456.00
01/21 1	10219242	03500.016628	1203	\$204.00	\$28,252.00
01/21 5	60509039	00766.000068.PV	1005	\$160.00	\$28,092.00
01/21 6	60509039	" "	1052	\$50.00	\$28,042.00
01/21 7	09647953	35.C14385	1252	\$310.00	\$27,732.00
01/21 54	09708586	862.C2045	1251	\$110.00	\$27,622.00
01/22 67	5045552	03175000100ESPEIER	8010	\$25.00	\$27,597.00
01/22 68	5045552	03175000100ESPEIER	8008	\$200.00	\$27,397.00
01/22 70	5708013	03175000100ESPEIER	8010	\$25.00	\$27,372.00
01/22 71	5708013	03175000100ESPEIER	8008	\$200.00	\$27,172.00
01/23 1	09960283	684.3256	1801	\$770.00	\$26,402.00
01/23 1	09500027	35.C14232	1202	-\$216.00	\$26,618.00
01/23 1	09459479	862.3161	2201	\$473.00	\$26,145.00
01/23 3	75209811	945.9017	6001	\$670.00	\$25,475.00
01/23 9	PCT/US03/41331	00766.000068.PC	9204	-\$2,135.00	\$27,610.00
01/23 10	76268094	867226	6004	\$150.00	\$27,460.00
01/23 59	6608621	03500.015049	1811	\$100.00	\$27,360.00
01/23 145	0142520835	NOT IN DATA SYSTEM	8014	\$25.00	\$27,335.00
01/23 146	0142520835	↓	8023	\$120.00	\$27,215.00
01/23 147	0142550321	↓	8014	\$25.00	\$27,190.00
01/23 148	0142550324	↓	8014	\$25.00	\$27,165.00
01/23 159	09465450	36J.P205	1801	\$20.00	\$27,145.00
01/23 295	78355783	01781.00T199.US	7001	\$335.00	\$26,810.00
01/23 346	78355818	1266.10614	7001	\$335.00	\$26,475.00
01/26 114	10761279	03500,013494.2	1202	\$344.00	\$26,131.00
01/26 116	10761279	03500,013494.2	1201	\$172.00	\$25,959.00
01/26 117	10761279	03500,013494.2	1203	\$290.00	\$25,669.00
01/26 265	0142550321	02105.002442	8014	\$125.00	\$25,544.00
01/26 269	0142550324	02105.002442	8014	\$175.00	\$25,369.00
01/26 271	0142520835	02105.002441	8014	\$175.00	\$25,194.00
01/26 272	0141650418	02105.002441	8014	\$175.00	\$25,019.00
01/27 6	0133500188	02521000213ZA	8014	\$50.00	\$24,969.00
01/28 178	78358103	00945010617	7001	\$335.00	\$24,634.00
01/28 940	78358515	00945010615	7001	\$335.00	\$24,299.00
01/28 1006	78358552	01628.603700	7001	\$335.00	\$23,964.00

# Deposit Account Statement

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01/28 1201 78358656	03076.000001	7001	\$335.00	\$23,629.00
01/28 1221 78358676	03076.000002	7001	\$335.00	\$23,294.00
01/28 1256 78358695	00947010616	7001	\$1,005.00	\$22,289.00
01/29 4 10412681	0210.002365	1202	-\$40.00	\$22,329.00
01/29 8 09838809	02105001093	8013	-\$25.00	\$22,354.00
01/29 24 10684384	<i>not in 9/16/17 system</i>	9204	-\$290.00	\$22,644.00
01/29 62 10763214	03630.000178.1	1202	\$18.00	\$22,626.00
01/29 98 10763231	03500.017853.	1201	\$86.00	\$22,540.00
01/29 176 0142660146	02105.002442	8014	\$75.00	\$22,465.00
01/29 178 0142660193	02105.002441	8014	\$175.00	\$22,290.00
01/30 1 76357138	946.10208	6001	\$670.00	\$21,620.00
01/30 2 09955137	35.C15809	1202	\$36.00	\$21,584.00
01/30 4 09408447	862.3050	1251	\$110.00	\$21,474.00
01/30 6 10669333	00684.003531	9204	-\$375.00	\$21,849.00
01/30 316 10129626	01263.001662	8007	\$20.00	\$21,829.00
01/30 1003 78359941	00224000367	7001	\$335.00	\$21,494.00

START  
BALANCE  
\$50,089.00

SUM OF  
CHARGES  
\$33,106.00

SUM OF END  
REPLENISH BALANCE  
\$4,511.00 \$21,494.00

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